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6. [] The status of S 1438, the Ervin Bill, was discussed with Miss Marcia MacNaughton, Staff Member of Subcommittee on Constitutional Rights of the Senate Judiciary Committee. Miss MacNaughton stated that the bill had been voted on favorably without amendment in executive session by the Judiciary Committee but has not been reported out as the Committee report is still in draft. She stated the report would be the same as the report submitted to S 782, an identical bill, which was passed by the Senate in the previous Congress. I asked if the Director's letter of 21 May 1971 to Senator Ervin requesting a full exemption to S 1438 would be noted in the report since the report to S 782 contained a statement that the DCI accepted S 782 with the specific exemptions granted. Miss MacNaughton stated that the statement would be deleted; however, the Director's letter of 21 May would not specifically be mentioned. She expected the bill would be reported out within a few days and calendared for Senate vote. Miss MacNaughton was aware of the Agency's exemption and the President's broad authority to grant other exemptions in the House version. She felt the differences in House and Senate bills would be taken care of in conference. Mr. Richard Barton, Staff Assistant of Subcommittee on Employee Benefits, House Committee on Post Office and Civil Service, was subsequently called, and he was aware of the status of S 1438. He felt that Senator Ervin will probably seek an early Senate vote and the bill will pass. The Hanley Bill (the House version of the Ervin Bill) will not be considered by the House Post Office and Civil Service Committee until the early part of the next session.

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7. [] Returned the transcript of the testimony of the Secretary of Defense before the House Committee on Armed Services on Tuesday, 16 November, concerning H. R. 8856, a bill to provide an additional Assistant Secretary of Defense, to Miss Kalinowski, of the Committee staff.

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8. [] Met briefly with Mr. Al Westphal, House Foreign Affairs Committee staff, who told me that as of noon today he does not foresee any immediate action on S. 18, the Radios bill. At the earliest, he does not see any consideration for meeting of the conferees until after the completion of the conference meetings on the Foreign Aid bill. []

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[] has been advised.

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